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Human rights situations that require the Council's attention

Summary of the high-level panel discussion on the situation of human rights in the Syrian Arab Republic*

Report of the Office of the United Nations High Commissioner for Human Rights

Summary

In its resolution 33/28, the Human Rights Council decided to convene a high-level panel discussion on the situation of human rights in the Syrian Arab Republic during its thirty-fourth session, in consultation with the Independent International Commission of Inquiry on the Syrian Arab Republic, including on the issue of enforced disappearances and arbitrary detention, and the need for accountability for related violations and abuses, featuring witness testimony and Syrian voices. Also in that resolution, the Council requested the Office of the United Nations High Commissioner for Human Rights to prepare a report on the high-level discussion. The present report was prepared pursuant to that request.

* The present report was submitted after the deadline in order to reflect the most recent developments.

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Introduction

1. Pursuant to its resolution 33/23, the Human Rights Council held a high-level panel on the situation of human rights in the Syrian Arab Republic on 14 March 2017, during its thirty-fourth session. The objectives of the discussion included increasing the visibility of violations and abuses of international human rights law and international humanitarian law committed by all parties to the conflict in the Syrian Arab Republic, with a particular focus on the issue of arbitrary detention, ill-treatment and torture in detention and enforced disappearances since 2011, and suggesting ways to address those issues and to bring alleged perpetrators to account.

2. The panel was chaired by the President of the Human Rights Council, Joaquín Alexander Maza Martelli. Opening statements were delivered by the United Nations High Commissioner for Human Rights, the Chair of the Independent International Commission of Inquiry on the Syrian Arab Republic and the United Nations Regional Humanitarian Coordinator for the Syrian Crisis.

3. The panel was moderated by senior CNN international correspondent Arwa Damon and composed of the Executive Director of the Syrian Network for Human Rights, Fadel Abdul Ghani; a lawyer actively engaged with the Syrian Women's Network, Joumana Seif; the former Vice-President of the National Coalition of Syrian Revolutionary and Opposition Forces, former detainee and activist, Noura Aljizawi; co-founder of Raqqa is Being Slaughtered Silently and researcher on extremist groups in the Middle East, Sarmad al-Jilane; and a lawyer, free speech advocate and Director of the Syrian Centre for Media and Freedom of Expression, also a former detainee, Mazen Darwish.

II. Opening statements

4. In his opening statement, the United Nations High Commissioner for Human Rights reminded participants that countless people in the Syrian Arab Republic had been subjected to arbitrary detention, torture, abduction and enforced disappearance. The Office of the United Nations High Commissioner for Human Rights (OHCHR) and the Commission of Inquiry had continued to be denied access to the country and no international human rights observers had been admitted to places where, very probably, tens of thousands of people were being held and where torture was taking place. The High Commissioner highlighted that the conflict had begun with the detention and torture by security officials of a group of children in Daraa who had daubed anti-government graffiti on a school wall. As protests had swelled, the Government had attacked and waged war on its own people, spawning rebel movements, fuelling violent extremism and setting the stage for a regional proxy war. The High Commissioner stated that the entire country had become a torture chamber, a place of savage horror and absolute injustice. He noted that, as it entered its seventh year, the conflict in the Syrian Arab Republic was the worst man-made disaster the world had seen since the Second World War, and that the desperate appeals of civilians in Aleppo in 2016 had had little or no impact on global leaders, whose influence could help put an end to the fighting.

5. The High Commissioner added that atrocities committed against the Yazidi community by the extremist group known as Islamic State in Iraq and the Levant (ISIL), including the abduction and sale of girls and women as sexual slaves, had not generated swift, decisive action to ensure accountability. Vetoes had repeatedly pushed back hope for an end to that senseless carnage and for referral of alleged international crimes to the International Criminal Court. The High Commissioner noted that the adoption, in December 2016, of General Assembly resolution 71/248 establishing the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011 had been a significant step forward. He added that OHCHR was moving as fast as possible to set up the International Impartial and Independent Mechanism, which would work alongside the Commission of Inquiry to

collect and analyse evidence and prepare detailed files on individual suspects with a view to building a foundation from which to initiate criminal proceedings against individual perpetrators. The High Commissioner stressed that ensuring accountability, establishing the truth and providing reparations must happen if the Syrian people were ever to find reconciliation and peace.

6. Detention remained a central issue for many in the Syrian Arab Republic, one that could determine the fate of any political agreement. The international community had to support the struggle of Syrian families to know the truth. The High Commissioner ended his statement by urging all parties to end torture, stop executions and cease unfair trials by special and ad hoc courts. He called upon humanitarian actors and international monitors to be given access to all detention centres. He urged all parties holding detainees or captives to release them or at least disclose the names and localities of those in detention and the place of burial of those who had died.

7. In his opening statement, the Chair of the Commission of Inquiry reminded those present that the Human Rights Council had gathered to hear directly from witnesses and victims of the conflict and to draw attention to the need for accountability for violations and abuses committed during the conflict, including enforced disappearances and cases of arbitrary detention. He stressed that it was a privilege to hear from some victims directly, as many thousands of others could not be heard; too many voices had been silenced by enforced disappearance, arbitrary detention or death. Enforced disappearance in particular left families in painful suspense, uncertain of the fate of loved ones and unable to find closure. The Chair noted that the Commission of Inquiry had investigated and produced over 20 reports and special thematic papers documenting the suffering of the Syrian people since 2011. He referred to the report of February 2016, in which the Commission of Inquiry concluded that the massive number of detainees who had died suggested that the Government was responsible for acts that amounted to extermination, a crime against humanity. Meanwhile, armed groups ill-treated and executed captives, some of whom died after being tortured. ISIL and Jabhat al-Nusrah, both of which had been designated terrorist groups, had used makeshift courts to execute prisoners. ISIL had tortured and executed detainees, including journalists and activists.

8. The Chair added that, in each of its reports, the Commission of Inquiry had called for a political solution that would ensure credible and comprehensive accountability, and had repeatedly urged the Security Council to either refer the situation in the Syrian Arab Republic to the International Criminal Court or create an ad hoc tribunal. The Commission of Inquiry therefore welcomed continued efforts to ensure accountability, reiterated its readiness to cooperate with the International Impartial and Independent Mechanism and welcomed the report of the Secretary-General on the implementation of that resolution. The Commission of Inquiry would continue to make recommendations to Member States and to all parties to the conflict to protect and fulfil the human rights of the Syrian people, including by ensuring a path to justice for victims.

9. In his opening statement, the Regional Humanitarian Coordinator for the Syrian Crisis reminded participants that 13.5 million Syrians required protection and assistance, noting that such needs had reached unprecedented levels of complexity, scale and severity. Since 2011, more than half of all Syrians had been forced to flee their homes and 6.3 million of them had been internally displaced.

10. The protection of civilians was a significant concern across all governorates. As at the end of January 2017, nearly 650,000 people had been living in 13 areas under siege, deprived of regular assistance and unable to move freely. Indiscriminate attacks against civilians and civilian infrastructure, including schools and medical facilities, by all parties to the conflict had been extensively documented. The Regional Humanitarian Coordinator highlighted that in 2016 the United Nations had verified 38 attacks on education facilities and personnel, while from January to December 2016 there had been 338 attacks on hospitals and health centres during which dozens of health-care workers had been killed.

11. While the protection of civilians had been a central concern in all humanitarian operations in the Syrian Arab Republic, preventing and responding to violations of international human rights law and international humanitarian law in such a context had

been uniquely challenging. Humanitarian agencies were too often unable to deliver life-saving assistance and protection services in a timely and sustained basis to the 4.7 million people who lived in besieged and hard-to-reach areas, including the 1.3 million people in areas controlled by ISIL. The Regional Humanitarian Coordinator regretted that in February 2017 not a single inter-agency cross-line convoy of the 20 requested had been granted access since the establishment of the International Syria Support Group.

12. The Regional Humanitarian Coordinator said he had been appalled by reports from the Commission of Inquiry, OHCHR and others about murders and cases of arbitrary deprivation of liberty, torture and inhuman treatment perpetrated by all sides. He stressed that neutral and impartial international humanitarian agencies, such as the International Committee of the Red Cross, had to be granted immediate and unhindered access to detainees and detention facilities in order to prevent further abuses, arbitrary detentions and enforced disappearances.

13. He highlighted serious concerns regarding Syrians involved in humanitarian activities inside the Syrian Arab Republic. In 2016, as part of the "whole-of-Syria" approach, humanitarian partners had reached a combined 11.2 million people in the Syrian Arab Republic with multisectoral assistance. Cross-border assistance from Jordan and Turkey had continued to represent a core element of the humanitarian response. The bulk of humanitarian assistance had been provided by a wide array of non-governmental partners. Thousands of Syrians working for national or international non-governmental organizations (NGOs), often in partnership with the United Nations, had been operating in areas under opposition control and had been playing a critical role, not only in providing assistance but also in delivering services such as health and education. They had also suffered hundreds of casualties in the process. At least 66 humanitarian workers had been killed and 114 had been wounded in the first nine months of 2016 alone. The Regional Humanitarian Coordinator stressed that the safety, well-being and freedom of humanitarian workers and of medical and civil defence staff needed to be guaranteed. He regretted the persistence of arbitrary arrests of humanitarian workers suspected of supporting armed groups, as reported by the Commission of Inquiry. He noted that during the evacuation of eastern Aleppo at least three humanitarian workers had reportedly been arrested. In 2015 and 2016, 18 humanitarian workers had been arrested in the Syrian Arab Republic. One Syrian staff member of the United Nations Development Programme remained in detention and 27 staff members of the United Nations Relief and Works Agency for Palestine Refugees in the Near East had been detained or had gone missing. While the United Nations had secured the release of many of its staff members, the ongoing arrest and detention of personnel was a matter of great concern and indicative of the protection risks that all humanitarian workers faced in the Syrian Arab Republic.

14. The Regional Humanitarian Coordinator urged Member States and United Nations agencies to consider how they could ensure the safety, security, freedom from arbitrary detention and well-being of humanitarian personnel. Attacks that killed or injured aid workers had to cease immediately. It was also vital for the future of the Syrian Arab Republic, to retain, protect and capitalize on the significant human capacity that had developed over the previous six years through the work of humanitarian organizations.

III. Contribution of the panellists

15. In her introductory remarks as moderator of the panel, Ms. Damon said that what was most shocking about the situation in the Syrian Arab Republic was that it was not shocking enough to galvanize into action those who had the power and capability to put their own agendas aside and simply stop the violence. She recalled the very first reports of schoolboys detained and tortured for spray-painting anti-government graffiti, the endless images of victims of barrel bombs, the crucifixions carried out by ISIL, the murders and the pillaging, the image of Aylan Kurdi lying on the beach or of little Omran in Aleppo, covered in grey dust and wiping blood off his face with his tiny hand, the countless other images of victims whose names were unknown, whose cries were listened to but not really heard. Ms. Damon highlighted that, from the outset, the conflict in the Syrian Arab

Republic had been and continued to be arguably the best documented war ever, largely thanks to the work of brave activists and citizen journalists.

16. In preparing for the panel, Ms. Damon had searched through her footage from 2011 for anything, any story that might have changed the course of the war, but found nothing. One of the first stories she had covered in Syrian Arab Republic was that of a woman in Damascus documenting human rights violations who had said that it was her responsibility to make the country better. Because of her work, the woman had been detained for 48 hours before being released thanks to her family's connections. Those 48 hours were enough for her to conclude that "they do not treat prisoners like human beings".

17. Ms. Damon added that other people she later interviewed had asked her: "Have you ever been in a situation where you wished you were dead? Where death would be a greater mercy than the pain inflicted on you?" Survivors had described torture techniques that epitomized how vile humans could be and that included forcing people into a tire while beating or burning the soles of their feet, hanging people until their arms were ripped from their sockets, inflicting electrocutions and carrying out rapes that sometimes involved sodomy. Many of those who had survived detention were ghosts of what they had once been and needed support. Ms. Damon said she had interviewed countless people who had not known where their loved ones were, had assumed they were dead, yet had painfully clung to the hope that they might still be alive. She spoke of a woman she had met in Greece who had spent years trawling detention facilities, looking for her husband in vain; she had eventually given up and decided to take the route to Europe with her daughters.

18. Ms. Damon said that the size and scale of the detention issue in the Syrian Arab Republic was arguably unprecedented in modern history. A lot of responsibility lay with the Government and its backers, but most of the players' hands were drenched in blood and what was perhaps more chilling was that the international community had not even begun to scratch the surface of the crimes committed in the Syrian Arab Republic. She noted that the most recent report of Amnesty International on mass hangings in Sadnaya prison was but the latest example. She ended by emphasizing that the families of the missing needed the support of the international community, and that there needed to be accountability for violations of international human rights law. Concrete steps were required to show Syrians that the international community would not continue to fail them. The tragedy of the Syrian Arab Republic was that the international community knew, but did nothing. She saluted the panellists for having the courage not to be silenced.

19. In his intervention, Mr. Abdul Ghani recalled the sixth anniversary of the popular action for democracy and change in the Syrian Arab Republic and noted that 106,000 persons were still being detained, 92,000 of whom by the Government. Of those detained, 80 per cent had been made to disappear. Some 13,100 persons had died as a result of torture. That data had been gathered over six years thanks to daily, meticulous work and despite unprecedented challenges, including insecurity and the risk of being arrested. Torture was systematic and many deaths in detention had resulted from poor conditions or the lack of medical care, as highlighted by the Commission of Inquiry in its report "Out of sight, out of mind: deaths in detention in the Syrian Arab Republic", issued in 2016. Mr. Abdul Ghani noted that his organization had documented some 46 torture techniques and continued to document cases on a monthly basis. Other parties, such as the Al-Qaida affiliate Jabhat al-Nusrah, the Kurdish People's Protection Units (YPG), armed opposition groups and ISIL, had started replicating those techniques. According to Mr. Abdul Ghani, Jabhat al-Nusrah was holding 1,600 people in captivity, ISIL 7,400, armed opposition groups 2,600 and YPG 2,100.

20. Mr. Abdul Ghani highlighted that detention could not be tackled without addressing the entire conflict in the Syrian Arab Republic. He noted that, despite the Astana ceasefire agreement, casualties continued to be documented, with 780 people killed in January and 876 in February. Cases of arbitrary arrest and torture continued, with 390 such cases recorded by the Syrian Network for Human Rights in January and 720 in February. International human rights law and international humanitarian law had been completely flouted and marginalized, and while three resolutions on detention in the Syrian Arab Republic had been adopted there had been no progress on the issue.

21. In conclusion, Mr. Abdul Ghani stated that, despite the situation, some achievements could be made. Imposing harsher sanctions on States sponsoring the Syrian regime would have a significant effect.

22. Ms. Seif explained how her life and that of her family had been affected by arbitrary arrests and detention. In 1980, her uncle had disappeared after being snatched by security forces from his bed in front of his mother, his wife and his 1-year-old daughter Nour. The life of the family had been one of waiting. In the meantime, Ms. Seif's grandmother had passed away. Nour had only learned of her father's fate when she turned 20, when a high-ranking officer informed her that he had been executed in Tadmor prison many years earlier. In August 1996, Nour's brother, who was 21, disappeared and his whereabouts remained unknown. Ms. Seif's father, then a member of parliament, had been working on uncovering corruption but had decided to remain silent out of fear for the security of his children. The disappearance of his son had been a clear message that he should not pursue his work against corruption. In 2001, he was detained and sentenced to five years in prison after a sham trial for calling for changes to the Constitution. He was released in 2006. During the following two years, the family was systematically harassed by security forces and summoned regularly, until he was once again detained for two years for participating in an "unauthorized meeting". Another cousin of Ms. Seif had been arrested by the police and had disappeared for 10 days; he had been tortured and then released after the family had paid bribes.

23. Ms. Seif highlighted that her story was emblematic of how thousands of Syrian families had been affected by enforced disappearances, arbitrary detention and the torture of their loved ones. Those who had survived detention centres had described them as hell. All those crimes had been perpetrated by the Assad family — father and son — and not a single person had been held accountable for such acts. She said that the recent report of Amnesty International on executions in Sadnaya prison had been no surprise, and recalled that in 1982 the regime had massacred tens of thousands of Syrians in Hama without anyone having been held accountable. She added that, like many Syrians, she believed that if justice had been done for those crimes, the inhuman and cruel practices of detention, torture and cold-blooded executions would not have happened again and that the criminal elements from the other side claiming to be revolutionaries or opponents would not have dared to commit similar crimes.

24. Ms. Seif ended by emphasizing that it was high time to put an end to the culture of impunity in the Syrian Arab Republic. Justice was a right of all Syrians and their children. It was a condition for peace. Justice was not a means of revenge but a means to avoid revenge and to give hope for a better future, to create an atmosphere with a minimum of peace of mind. It was necessary for peaceful coexistence between Syrians. It was an invitation for Syrian refugees to return to their country and rebuild it, and it was also important for curbing radicalization and defeating terrorism. Any political track that did not address justice and accountability would not bring a sustainable peace.

25. Ms. Aljizawi described the conditions of her detention for six months at the Palestine branch, a detention centre in Damascus run by the Syrian military intelligence, and her disappearance in 2012. Hers was the story of thousands of Syrian women who had been detained, not just because they were human rights activists or had been involved in the provision of humanitarian or medical assistance, but because they were in a region whose population was perceived by the Government as belonging to the opposition. Women had been detained on the basis of their identity card. That was how dozens of women she had met had been detained. The women came from Daraya, Baba Amr, Al-Zabadani, Madayya, Al-Houla and hundreds of other villages and areas where the population had taken to the streets against the regime. Women had also been detained as a means of pressuring their families or extracting information under torture. Scores of women had reported to the NGO recently created by Ms. Aijizawi that they had been tortured in front of their husbands, brothers or parents in order to force them to confess.

26. Ms. Aljizawi spoke of detainees engraving their names on the walls of their cells with their nails. A few months after she had been detained, her sister read her name on the wall of cell number 13. Ms. Aljizawi wondered whether her daughter too would one day read her name, together with her sister's, on that same wall.

27. Ms. Aljizawi highlighted that no female staff worked in the detention centres, which meant that sexual and gender-based violence started from the minute of arrest, continued during searches by security officials and did not end with the interrogation and torture sessions, during which the same techniques were used on male and female detainees. Many women had been detained with their children, who remained with their mothers in filthy conditions. One woman, Rania al-Abbasi, who had been detained in 2012, had disappeared with six of her children; all remained missing.

28. Ms. Aljizawi noted that dozens of women and girls had been held by terrorist organizations, including ISIL and Jabhat al-Nusrah, and had been forcibly recruited and forcibly married. Undisciplined militias operating in coordination with the Government of the Syrian Arab Republic had been involved in abductions and detentions. She was worried that, even if access to detention centres was to be granted, access would still not be given to secret detention centres run by militias. Farms, school and private properties had been used by militias as torture centres. Many women had been abducted by some of the militias and their bodies found thrown in the streets, particularly in Homs, in 2011, where Ms. Aljizawi had herself been involved in documenting such cases.

29. Ms. Aljizawi ended by saying that she had been released not because of the humanity or kindness of her captors but thanks to the solidarity of human rights defenders, who had launched a large support campaign that had reached the scary place where she was being held and had pressured the regime not to kill her. She added that, even if the mechanisms were slow, the international community had to persevere in its efforts to secure the release of women, children and men.

30. In his intervention, Mr. Al-Jilane spoke about the situation in areas such as Deir Ezzour, Raqqa, rural Aleppo and Idleb, which were known to the public for hosting extremists. He highlighted that those areas were home to nearly 3 million civilians and about 100,000 missing persons, including detainees.

31. During the second half of 2014, ISIL had taken control of Raqqa and had begun spreading terror among the civilian population. Abductions and executions had started spreading in order to eliminate any alternative system. ISIL expanded eastward and westward, controlling areas of rural Aleppo and large parts of Deir Ezzour governorate after months of confrontation with the Free Syrian Army, using safe passages provided through government-controlled areas that allowed them to expand their geographic control.

32. Not a single family in eastern Syrian Arab Republic had been spared from ISIL oppression. Every home counted a missing person or someone who had become a martyr at the hands of ISIL. ISIL was holding 8,653 civilians in captivity, including 1,081 children, who were tortured on a daily basis, including for acts such as smoking or not abiding by a strict dress code. Journalists and other detainees considered to be a threat to ISIL were systematically moved between secret detention centres where they faced harsh treatment. Some 1,380 children had gone missing from camps. Since the end of 2014, other groups, such as Jabhat al-Nusrah, Jabhat Fath al-Sham and, later, Hay'at Tahrir al-Sham, had held some 1,844 people in Idleb alone (1,138 civilians and dozens of Free Syrian Army elements) in Al-Aqab detention centre, which had become Jabhat al-Nusrah's most notorious detention centre.

33. Mr. Al-Jilane added that the Syrian Democratic Forces had carried out ethnic cleansing campaigns that had affected entire villages in the northern rural areas of Raqqa over which it had taken control. It was holding 3,481 civilians in captivity, including 734 women and children. Raqqa is Being Slaughtered Silently had documented deaths resulting from torture committed in these areas. Some detainees had been transferred to government forces upon their request, within a framework of cooperation between the two parties. Like other militias, the Syrian Democratic Forces had arrested and forcibly recruited persons in areas under their control. Mr. Al-Jilane ended by emphasizing that, in the quest for accountability, there was a need to focus on the top of the pyramid and identify those who had unleashed all those extremist groups in 2011.

34. Mr. Darwish emphasized that, in addition to all the actors involved in detention and enforced disappearances listed by the panellists, government-affiliated local militias such as the National Defence Forces and other cross-border sectarian militias operated secret

detention centres. He added that the information shared by the panellists was not new to anyone, as lack of information or evidence was not a problem. He highlighted that since the Nuremberg trials, there had not been a context with such a large amount of evidence and witnesses. The problem was the lack of political will to stop the carnage.

35. Mr. Darwish added that detentions in the Syrian Arab Republic, such as his, that of his wife, parents and father-in-law, occurred with some legal cover provided either by government courts or by sharia courts. Field military courts had issued thousands of death sentences without respecting due process. The recently published report by Amnesty International was only part of a much graver reality. Extermination, a term used by the Commission of Inquiry, was ongoing. Those atrocities, which had been committed for six years, were continuing as the Human Rights Council was in session. Civilians, including women and children, who had committed no crime were dying under torture.

36. The answer to the frequent questions on how extremism had come about, on why young people were joining criminal gangs and on the activities of terrorists groups lay in Syrian detention centres and prisons. The root causes of terrorism needed to be looked into in order for terrorism to be defeated.

37. The dream of many Syrians was for the war to come to an end, but they wondered how peace and a political solution could be achieved while hundreds of thousands of Syrians were detained or missing; how there could be real peace without accountability for the crimes committed. Referring to the political negotiations, Mr. Darwish warned that the decision to raise the issue of detainees during the talks in Astana instead of in Geneva had sent a negative signal, as the issue became limited to an exchange of prisoners between warlords. None of the warring parties was concerned with many of the categories of persons detained, including human rights defenders. They mostly cared about the interests of combatants, not about artists, lawyers or activists.

38. Mr. Darwish ended by expressing the hope that the children of his torturers would live in peace, just as he hoped his own children would. He added that, in order to avoid vengeful acts, a genuine transitional justice process was required. Without it, the ground would be laid for a civil war that would erase what was left of the Syrian Arab Republic and its people. Without accountability, the international community would send a wrong signal to criminals throughout the world, giving them the green light to act freely and continue to commit war crimes and crimes against humanity.

39. Syrians paid the highest price for the presence of *takfiri* and extremist groups such as ISIL and Jabhat al-Nusrah and therefore had the biggest interest in eradicating extremism and terrorism. Mr. Darwish warned that the mistakes made in Iraq were being replicated. The situation in the Syrian Arab Republic and the entire Middle East required a comprehensive solution based on justice and democratic change as the way to guarantee sustainable peace and eradicate terrorism.

IV. Summary of the discussion

40. During the interactive phase of the panel discussion, the following delegations spoke (in order of intervention): the United Kingdom of Great Britain and Northern Ireland (on behalf of France, Germany, Italy, Jordan, Kuwait, Morocco, Qatar, Saudi Arabia, Turkey and the United States of America), Norway (on behalf of the Nordic countries), Bahrain (on behalf of the Gulf Cooperation Council), the European Union, Spain, the United Kingdom, Australia, New Zealand, Uruguay, Germany, Israel, Belgium, Qatar, Slovenia, Liechtenstein, the Islamic Republic of Iran, the Bolivarian Republic of Venezuela, France, the Plurinational State of Bolivia, the Maldives, the Netherlands, the United States, the Russian Federation, Switzerland, Italy, Portugal and Iraq.

41. The following NGOs contributed to the discussion: the Cairo Institute for Human Rights Studies, the Women's International League for Peace and Freedom, Human Rights Watch, the World Council of Arameans (Syriacs), Africa Culture Internationale and the International Organization for the Elimination of All Forms of Racial Discrimination.

Interventions by representatives of States

42. Many representatives of States acknowledged that the people of the Syrian Arab Republic continued to face horrific violations and abuses of international human rights and international humanitarian law, and condemned the fact that tens of thousands of Syrians had been subjected to detention and enforced disappearance. They also condemned the brutal conditions of detention in facilities run by non-State armed groups, including terrorist groups such as ISIL and Jabhat al-Nusrah. They urged all those who had influence on the parties to the conflict to do their utmost to end the violence.

43. Many representatives condemned detention-related violations and abuses that caused lasting pain and uncertainty for victims and their families, as highlighted in the recent reports of Amnesty International and the Commission of Inquiry, in which the situation was described as "extermination" and the need to end the physical and psychological torture in Syrian detention centres was highlighted.

44. Many representatives called on all parties, particularly the Government of the Syrian Arab Republic, to release all those illegally detained, to protect those in their custody and to grant unhindered access to international independent monitors. Many representatives also condemned the fact that the Government did not guarantee fair trials.

45. Many representatives highlighted the importance of the Commission of Inquiry continuing to document violations and abuses of international human rights and international humanitarian law, welcomed the establishment by the General Assembly of the International Impartial and Independent Mechanism and called upon the Syrian authorities to cooperate with both mechanisms.

46. A number of representatives called for the implementation of Security Council resolution 2254 (2015), including the lifting of sieges, the delivery of humanitarian assistance, the end of indiscriminate attacks, the release of detainees, the end of executions. They emphasized the necessity to protect vulnerable groups, including children, women and members of ethnic and religious groups. Some representatives condemned, in particular, the violations committed against women in ISIL-controlled Raqqa.

47. Several State representatives emphasized the need for the international community to end impunity in the Syrian Arab Republic and to support current and future accountability initiatives so that those responsible for violations and abuses of international law would be held to account. In that regard, some delegations stressed the importance of referring the Syrian Arab Republic to the International Criminal Court and of supporting other accountability initiatives.

48. Many representatives reiterated their support for the efforts of the Special Envoy of the Secretary-General for Syria to find a political solution and stressed that lasting peace could not prevail without justice.

49. Some representatives highlighted the necessity to protect and help those assisting others, such as aid workers.

50. Some representatives asked how the international community could better protect and secure access to victims of detention. Some representatives asked what steps could be taken quickly by the international community to address the issues of detention, enforced disappearance and missing persons given the ongoing failure of the Security Council to refer the situation to the International Criminal Court and to impose sanctions on individuals or entities involved in detention-related crimes. Some representatives wondered how they could best support Syrian civil society efforts in that regard.

Interventions by representatives of non-governmental organizations

51. Some representatives of NGOs highlighted that the war continued to devastate the lives of millions of people in the Syrian Arab Republic and that the United Nations and its Member States needed to do more than monitor the situation and express moral outrage. Violations and abuses continued despite the ongoing talks, and it was imperative that

human rights issues, including the situation of detainees, be prioritized in the negotiations. Any agreement should grant independent monitors access to detention facilities and to all those deprived of their liberty, irrespective of who was holding them. Peace required the release of the thousands still suffering from arbitrary detention and that justice be done for the crimes perpetrated against them.

52. Some representatives welcomed the fact that some European Union countries had taken effective steps towards accountability through their national justice systems and highlighted that those efforts must be strengthened. They welcomed the creation of the International Impartial and Independent Mechanism but noted that it required adequate resources if it was not to become irrelevant.

53. Some representatives urged the international community to pressure the Government of the Syrian Arab Republic and the other parties to the conflict to release a list of all detainees, as well as information on their current location and status, and to immediately stop torture. In the case of the death of a detainee, a death certificate with the cause of death and the burial location must be presented to the families.

54. Some representatives urged the international community to further pressure the Government of the Syrian Arab Republic to abolish special courts, including counter-terrorism courts and field military courts, and to guarantee fair trials, regardless of the families' affiliations.

55. Some representatives urged the Government of the Syrian Arab Republic to repeal laws that criminalized the right to peaceful assembly, association and freedom of expression, and called on all parties to explicitly commit to not detain or prosecute aid workers.

56. Some representatives highlighted that a transition plan must include an independent mechanism for vetting current and future senior security officials and that, wherever there was sufficient evidence to indicate responsibility for international crimes, suspects should be prosecuted in fair trials.

V. Final remarks by the panellists

57. In response to the comments and questions made by the representatives of States and NGOs, the panellists emphasized the importance of accountability for all victims in the Syrian Arab Republic, without discrimination and regardless of ethnicity, religion or race. They insisted on the importance of ending impunity, whoever the perpetrator was, and highlighted that all perpetrators must be held to account, not in a spirit of revenge but through a comprehensive transitional justice process aimed at addressing all crimes against humanity and war crimes.

58. The panellists emphasized that the role of Syrian civil society was central and essential and insisted that the international community and the United Nations must work in partnership with Syrian civil society organizations, including in establishing accountability mechanisms such as the International Impartial and Independent Mechanism. Syrian civil society organizations should not only be seen as providers of information but as genuine partners with skills and knowledge of the complexities and sensitivities of the context. They were ready and looked forward to cooperating with the Mechanism and with European or other countries where courts were examining Syrian cases, including on the basis of the principle of universal jurisdiction.

59. The panellists reiterated the importance of States pressuring the parties to the conflict into taking effective steps to take action on the issue of detention and securing the release of detainees. They added that warring and negotiating parties must not use detainees as bargaining chips in the political process.

60. The panellists stressed that it was imperative to assist in the rehabilitation of torture survivors, who were all over the world and who had severe physical and mental scars. That was a major gap in the response at the moment.

61. The panellists highlighted that the demands and steps required were clear and achievable, and included an immediate halt to all death sentences issued by military courts, special courts and sharia courts, granting the International Committee of the Red Cross and the United Nations, including OHCHR monitors, access to detention centres with a view to improving conditions. All parties needed to provide the United Nations with lists of the names of those they were holding, those who had died or had been executed and the location of burial sites and establish a mechanism for identifying remains.